

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.79042 of 2025**

Arising Out of PS. Case No.-136 Year-2025 Thana- MAIRWAN District- Siwan

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Vishal Sharma @ Vishal Kumar Sharma S/o Rajdev Sharma R/o Village -  
Thepaha Raja Ram (Uttar Tola), P.S - Jiradei, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                    |   |                                     |
|--------------------|---|-------------------------------------|
| For the Petitioner | : | Mr. Satyendra Rai, Advocate         |
| For the State      | : | Mr. Yogendra Kumar, APP             |
| For the Informant  | : | Mr. Dhananjay Kumar Shahi, Advocate |

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      08-12-2025                      Heard learned counsel for the petitioner, learned  
A.P.P. for the State and learned counsel appearing on behalf of  
the informant.

2. The petitioner seeks bail in a case registered for the  
offence punishable under Sections 103(1), 61 and 3(5) of the  
B.N.S. and Section 27 of the Arms Act.

3. As per prosecution case, all 10 F.I.R. named  
accused persons, including this petitioner, along with 2 to 3  
unknown persons, indiscriminately fired as a result of which,  
son of informant died.

4. It is submitted by learned counsel for the petitioner



that petitioner is quite innocent and has committed no offence. As per F.I.R., all 10 named accused persons, along with 2 to 3 unknown persons, indiscriminately fired upon son of informant, however, as per *post mortem* report, only one fire arm injury was found on the body of the deceased, which itself falsifies the entire prosecution case. Allegation of firing is general and omnibus and no specific accusation of overt act has been alleged against this petitioner. Moreover, charge-sheet has already been submitted and petitioner is in custody since 31.03.2025.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, materials that have surfaced during course of investigation and period of custody, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-Vth, Siwan in connection with Mairwa P.S. Case No. 136 of



2025.

(Prabhat Kumar Singh, J)

shashank/-

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